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14 **Pro hac vice application forthcoming*

15 *Attorneys for Defendant*
16 *MGM Resorts International*

17
18 **UNITED STATES DISTRICT COURT**
19 **DISTRICT OF NEVADA**

20 DAVID ZUSSMAN, individually and on behalf
21 of all others similarly situated

22 Plaintiff,

23 v.

24 VICI PROPERTIES L.P., et al.,

25 Defendants.

Case No. 2:23-cv-1537-CDS-BNW

**STIPULATION TO EXTEND TIME
TO FILE DEFENDANT'S
RESPONSE TO COMPLAINT
(FIRST REQUEST)**

Pursuant to LR IA 6-1, Plaintiff David Zussman and Defendant MGM Resorts International (“MGM”) respectfully stipulate that MGM’s time to respond to the Complaint be extended from the current deadline of October 27, 2023 to and including December 12, 2023. This is the first stipulation for an extension of time to file MGM’s responsive pleading.

Good cause exists to enlarge the time for MGM to respond to the Amended Complaint. Between September 21 and October 11, 2023, nine other related actions were filed against MGM in two other federal courts (the “Related Actions”). *See Owens v. MGM Resorts Int’l*, No. 2:23-cv-01480 (D. Nev.); *Pircio v. MGM Resorts Int’l*, No. 2:23-cv-01550 (D. Nev.); *Lackey v. MGM Resorts Int’l*, No. 2:23-cv-01549 (D. Nev.); *Kirwan v. MGM Resorts Int’l*, No. 2:23-cv-01481 (D. Nev.); *Terezo v. MGM Resorts Int’l*, No. 2:23-cv-01577 (D. Nev.); *Rundell v. MGM Resorts Int’l*, No. 2:23-cv-01698 (D. Nev.); *Bezack v. MGM Resorts Int’l*, No. 2:23-cv-01719 (D. Nev.); *Albrigo v. MGM Resorts Int’l*, No. 3:23-cv-01797 (S.D. Cal.); *Lassoff v. MGM Resorts Int’l, et al.*, No. 1:23-cv-20419 (D.N.J.).

MGM’s counsel was only recently retained and requires additional time to review, investigate, and analyze the allegations in both the Complaint and the Related Actions. Moreover, based on the Parties’ current understanding of the claims, there are significant overlaps between this action and the Related Actions. As such, additional time is required to permit time to meet and confer with the various parties to the Related Actions, evaluate the potential consolidation of the cases, and conserve judicial resources.

The Parties’ request is made in good faith to enable MGM to complete an investigation into Plaintiff’s claims. Moreover, this case is in its infancy, and this request will not prejudice any party.

WHEREAS the Parties respectfully request that the Court extend MGM’s time to answer, move, or otherwise respond to the Complaint from October 27, 2023 to and including December 12, 2023.

Dated: October 26, 2023

Respectfully submitted,

/s/ Nathan R. Ring

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16 *MGM Resorts International*

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18
19 **IT IS SO ORDERED:**

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21  _____

22
23
24 DATED: 10/27/2023